

REMARKS

Claim 4 has been amended. Claims 6, and 13-15 have been canceled. Claim 4 remains in the application.. Reexamination and reconsideration of the application as amended are respectfully requested. The Examiner's comments are shown in bold.

Claim Objections

Claim 6 is objected to because of the following informalities: reference characters must be in parenthesis. . .

The Applicant has cancelled Claim 6.

Claim Rejections - 35 USC § 103

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tseng (US 2004/0106882) in view of Yamasake et al. (US 5,183,034 and further in view of Yamazaki et al. (US 2003/0199796). . .

Regarding Claim 4:

The Applicant respectfully requests that the Examiner revisit the rejection of Claim 4. Claim 4 has been reworded and rewritten to recite additional limitations which are not present in the cited prior art references. These limitations were discussed with the Examiner on August 27, 2007.

Referring to FIGs. 15, 16 and 17, it is noted that in the present invention the central axis 60 of the neck massage head 28 outwardly projects from rotating unit 56 toward rotational axis 58. That is, central axis 60 angles toward rotational axis 58. In fact, the two axes actually cross within the body of neck massage head 28. To this end, the Applicant has amended Claim 4 to recite that the one end of the neck massage head resides on one side of the rotational axis, and that the other side of the neck massage head resides on the opposite side of the rotational axis as is illustrated in FIGs. 16 and 17.

Neither of the Yamazaki inventions disclose the orientation of the massage head as now recited in Claim 4. In both of the Yamazaki devices the massage heads outwardly project away from the rotational axis of the head (please refer to FIG. 8 in 5,183,034, and FIGs. 5 and 6 in 2003/0199796). As such, the circle traced by the tip of the rotating Yamazaki massage heads is much larger than the circle traced by the tip of the massage head of the present invention.

Therefore in accordance with MPEP 2143.03 (all claim limitations not taught), the Applicant submits that Claim 4 is unobvious over Tseng in view of Yamasaki et al (US 5,183,034) and Yamazaki et al (US 2003/0199796) and should be allowable.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tseng in view of Hamilton (US 1,572,794). . .

The Applicant has canceled Claim 6.

Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tseng in view of Makishi (JP 20011293056A). . .

The Applicant has canceled Claim 14.

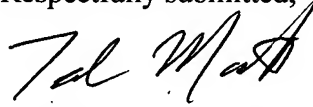
Claims 13 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tseng in view of Makishi (JP 20011293056A) and further in view of Sarkozi (US 5,020,174). .

The Applicant has canceled Claims 13 and 15.

The Applicant honestly believes that the structure of the present invention as recited in the amended claims differs substantially from that of the cited prior art. In this amendment the Applicant has attempted to add claim limitations which recite these structural differences. However, it is not always possible to present those limitations in a manner acceptable to the Examiner. Therefore, the Applicant would also appreciate any comments by the Examiner as to what specific claim language could be utilized to distinguish the claimed invention from the prior art.

In view of the above, Applicant respectfully requests allowance of all the claims remaining in the application, namely Claim 4.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ted Masters", written in a cursive style.

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